

JUDICIAL

4 BRANCH

EXHIBIT

DATE

1-10-2011

HB

5% Base Budget Reduction Form
17-7-111-3(f)

AGENCY CODE & NAME:

Minimum Requirement

**TARGETED REDUCTION TO EQUAL 5% OF CURRENT
 BASE BUDGET**

General Fund	State Special Revenue Fund
\$ 1,696,263	\$ 67,243

Priority

SERVICE(S) TO BE ELIMINATED OR REDUCED

	General Fund Annual Savings	State Special Revenue Annual Savings
1 Supreme Court Operations Program - Civil Legal Assistance		\$ 7,567
2 Boards and Commissions - Operational Categories		\$ 4,005
3 District Court Operations - Probation Fees		\$ 6,478
4 Water Court Operations - Operational Categories		\$ 49,193
5 Supreme Court Operations - Reduce Operating Expenses	\$ 23,310	
6 Boards and Commissions - Reduce Operating Expenses	\$ 21,828	
7 Law Library - Operational Categories	\$ 45,182	
8 Clerk of Court - Operational Categories	\$ 22,420	
9 District Court Operations - Reduce Operating Expenses	\$ 47,583	
10 District Court Operations - Reduce Payments to Contract Court Reporters	\$ 31,417	
11 District Court Operations - Eliminate Funding for Tumbleweed Contract	\$ 59,280	
12 District Court Operations - Fixed Contracts for GALs	\$ 115,160	
13 Supreme Court Operations Program - 2% Vacancy Savings	\$ 80,443	
14 Boards and Commissions - 2% Vacancy Savings	\$ 3,932	
15 District Court Operations - 2% Vacancy Savings	\$ 318,676	
16 Supreme Court Operations - Reduce CAP by 35%	\$ 14,254	
17 District Court Operations - Reduce Family Evaluator Services by 35%	\$ 124,154	
18 Supreme Court Operations - Reduce Drug Courts by 35%	\$ 247,949	
19 Boards and Commissions - Reduce FTE	\$ 12,069	
20 Supreme Court Operations - Reduce FTE	\$ 91,478	
21 District Court Operations - Reduce FTE (Youth Court)	\$ 172,100	
22 District Court Operations - Reduce FTE	\$ 265,028	
TOTAL SAVINGS	\$ 1,696,263	\$ 67,243

DIFFERENCE

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Form A

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5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduction of spending authority to transfer filing fee state special revenue to Montana Legal Services for providing legal representation for indigent victims in civil matters in domestic violence cases and for alternative dispute resolution initiatives in family law cases.

#2 THE SAVINGS THAT ARE EXPECTED:

\$7,567 State Special Revenue

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Payment to Montana Legal Services Association would be reduced, which may result in revenue exceeding spending authority. Services provided by Montana Legal Services Association to indigent victims of domestic violence cases would be reduced.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The Judicial Branch does not currently have any other option to mitigate this reduction.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes. 3-2-714 and 25-1-201 (3) (a) MCA

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Boards and Commissions

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR *ELIMINATION OR REDUCTION*:

Reduction of operational categories, including printing, contracted services, office supplies, postage, long distance and other telephone costs, travel, and meeting costs. State special expenditure reduction due to funds collected for training conferences for Courts of Limited Jurisdiction Judges and Clerks.

#2 THE SAVINGS THAT ARE EXPECTED:

\$4,005 State Special Revenue Funds

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED *ELIMINATION OR REDUCTION*:

Reductions in costs related to statutorily mandated training of Courts of Limited Jurisdiction judges.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The Judicial Branch does not currently have any other option to mitigate this reduction.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes. 3-10-203 MCA

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduction of expenses related to probation fees revenue. Reduction would be to training, supplies and materials and other miscellaneous expenditure categories.

#2 THE SAVINGS THAT ARE EXPECTED:

\$6,478 State Special Revenue Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Reduced operational costs in all areas affect staff efficiency and effectiveness. Reduction of training and related travel directly affect the professional development of staff. Reductions in equipment maintenance and replacement threaten Branch missions. The Branch would be unable to comply with state standards, react to technological changes or provide the tools necessary for staff to perform critical work.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The Judicial Branch does not currently have any other option to mitigate this reduction.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes. Title 41, MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Water Courts Supervision

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce all operational categories to meet the budget reduction target. If these reductions do not provide sufficient savings and depending on the circumstances at the time, delay issuing new Water Court decrees, delay filling any vacant positions, accept any staff offers to take voluntary leave without pay, and, finally, implement mandatory staff reductions.

#2 THE SAVINGS THAT ARE EXPECTED:

\$49,193 State Special Revenue Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The 2005 Legislature set a Water Court goal of issuing initial decrees in all Montana drainage basins by 2020. Section 85-2-270(2), MCA. The Legislative Auditor's June 2010 Performance Audit noted that with adequate resources, the Water Court might achieve that 2020 goal by 2016 and that moving additional FTEs to the Court in the next biennium (from DNRC or Reserved Water Right Compact Commission FTE positions which are scheduled to sunset) could accelerate the decree issuance schedule. (Audit Report at pages 32 and 46.) If the projected cost savings are confined to the Water Court's operating expenses, there will be delays and inconvenience to some water users during the 2013 biennium. For example, reducing or eliminating in-person basin public meetings will reduce advertising and travel costs, but will likely decrease water user understanding of the adjudication process and require water users to seek professional assistance at greater cost. If the projected cost savings require staff reductions, the pace of the adjudication process will slow down and the anticipated adjudication completion date will be extended into the future to be completed at a higher cost.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The Judicial Branch does not currently have any other option to mitigate this reduction

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes. Title 3, Chapter 7, MCA, and Section 85-2-270, MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Eliminate or reduce certain operational expenses, including printing and mailing of pay advices, reducing the number of communication devices, and eliminating subscriptions for certain on-line legal research services.

#2 THE SAVINGS THAT ARE EXPECTED:

\$23,310 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The consequences of implementing these reductions would be minimal.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

No mitigation would be necessary because the impact is minimal.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Boards and Commissions

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

The Judicial Branch currently provides two training conference per year for the District Court judges and Supreme Court justices. Under this proposal, only one training conference per year would be offered.

#2 THE SAVINGS THAT ARE EXPECTED:

\$21,828 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Elimination of one annual training conference for judges and justices continues the already significant cut to judicial training. In 2007, the Legislature allocated money specifically for judicial training, which was then reduced to meet the 2% across-the-board reduction imposed by the 2009 Legislature. With that reduction, the Branch eliminated almost all continuing education for judges, including training at the National Judicial College. Elimination of one annual training conference would reduce by half the remaining amount of professional development training offered to judges and justices. In order to stay current on legal developments, judges and justices would need to seek out training individually.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Individual judges could seek out training through electronic resources and other sources. The Judicial Branch could attempt to provide shared resources electronically, but cuts in the information technology budget may delay this type of assistance.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Law Library

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduction in purchase of books and other library materials.

#2 THE SAVINGS THAT ARE EXPECTED:

\$45,182 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Cuts will be made to materials purchased and used by the legislative branch and executive agencies. In past years this has led to those agencies each purchasing duplicate titles, but being unaware of the redundancies in spending. The combination of this 5% reduction and lack of funding for book inflation will combine to cut the book budget by 12 – 20%. Required titles will not be available for loaning to public libraries, the other courts around the state, court officers, and the general public. Litigants will be less prepared for trial, which will delay judicial opinions and sentences.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The Judicial Branch does not currently have any other option to mitigate this reduction.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes. Title 22, Chapter 1, Part 5, MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Clerk of Court

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduction of all operational categories including copying, office supplies, postage, records storage, long distance and other telephone charges, travel, office equipment maintenance and training.

#2 THE SAVINGS THAT ARE EXPECTED:

\$22,420 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Reductions would severely impede the Clerk of Court from performing required duties in support of the Montana Supreme Court.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The Judicial Branch does not currently have any other option to mitigate this reduction.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes, Title 3, Chapter 2, Part 4, MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Eliminate subscription for certain on-line legal research services and the annual evaluation of selected out-of-state placements, programs, and services for juveniles referred to the Youth Court.

#2 THE SAVINGS THAT ARE EXPECTED:

\$47,583 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The consequences of implementing these reductions would be minimal. Judges and law clerks would continue to have access to another on-line legal research service. Although the annual evaluation of selected out-of-state juvenile placements, programs, and services is valuable, its elimination will not negatively impact Youth Court operations.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Judges and law clerks would continue to have access to another on-line legal research service. Youth Court personnel would continue to obtain information on effectiveness of programs and services through review of outcome measures submitted as part of the approval process for prevention incentive funds plans.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes. 41-5-130 and 41-5-2033, MCA, refer to the annual evaluation.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce the funding available to pay for contracted court reporters to fill in for state employee official reporters.

#2 THE SAVINGS THAT ARE EXPECTED:

\$31,417 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

District Courts are courts of record (3-1-102, MCA). The Branch would continue to attempt to use official court reporters to fill in for each other during vacation and sick leave. However, District Courts are thinly staffed, and if an official court reporter is already booked, court hearings may be delayed.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The Branch would continue to work closely with court reporters to manage schedules.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes. 3-5-603, MCA

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Eliminate the contract with the Tumbleweed Runaway Program that provides services to low-risk juvenile offenders and their families in Yellowstone County. This long-standing program, which identifies and provides services to youth at risk of involvement with the criminal justice system, would be eliminated.

#2 THE SAVINGS THAT ARE EXPECTED:

\$59,280 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The program is a community standard that has traditionally diverted low-risk juvenile offenders with family or mental health issues to appropriate services. Juveniles are not required to interact with the criminal justice system and instead are referred to alternative services. If the program is completely eliminated, these youth would be referred to the Youth Court office.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Elements of the program could be financially supported through the Juvenile Intervention and Prevention Program (JDIP), which funds Youth Court programs and services. If that funding is reduced, the program would be eliminated.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce funding available for guardians ad litem in child abuse and neglect cases. The reduction would specifically target services offered in the 2nd Judicial District (Butte-Silver Bow County). The Branch intends to negotiate contracts with providers and significantly reduce the payments for these services.

#2 THE SAVINGS THAT ARE EXPECTED:

\$115,160 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Judges are required to appoint, and the Branch is required to fund, guardians ad litem for children involved in abuse and neglect cases. By reducing the funding available, the Branch would be taking a risk that experienced providers would be willing to continue to provide the services at a reduced rate. If experienced attorneys would be unwilling to work at a reduced rate, less experienced attorneys may need to be appointed to represent the best interest of the child.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The Branch would attempt to work with the judges and the state non-profit Court-Appointed Special Advocate (CASA) office to develop a local CASA program to provide these services. It will take time to develop a program and recruit and train volunteers, which means this action would not mitigate the impact of this reduction for several years.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes. 41-3-112 and 3-5-901, MCA

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Apply 2% vacancy savings to all positions in the Supreme Court Operations Program, except for the justices whose salaries may not be reduced during their term of office. (Montana Constitution, Article VII, section 7)

#2 THE SAVINGS THAT ARE EXPECTED:

\$80,443 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

It is unlikely that the program would be able to achieve the proposed vacancy savings through attrition alone because the Branch's turnover rate has decreased as the economic climate has worsened. Therefore, vacant positions would need to remain open for extended periods of time to generate the necessary vacancy savings. Because this program provides centralized services to the Judicial Branch, keeping positions open for lengthy periods would result in less timely support for the courts of limited jurisdiction, District Courts, and Supreme Court, especially in the area of court technology.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The impact of keeping positions open for extended periods of time could be mitigated by reassigning the workload of these positions to remaining staff. However, this would create a significant burden on employees over time.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Boards & Commissions

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Apply 2% vacancy savings to all positions (3.0 FTE) in the Boards and Commissions Program. Employees assigned to the program process complaints and manage commissions charged with investigating complaints against attorneys and judges. Commission staff also manage mandatory training for judges in the courts of limited jurisdiction and judges in the District Courts. In addition, the program provides staff support to the Sentence Review Board.

#2 THE SAVINGS THAT ARE EXPECTED:

\$3,932 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

It is unlikely that the program would be able to achieve the proposed vacancy savings through attrition alone because the Branch's turnover rate has decreased as the economic climate has worsened. Therefore, vacant positions would need to remain open for extended periods of time to generate the necessary vacancy savings. Because this program is so very small, keeping a position open for a lengthy period would hamper the timely completion of work such as processing complaints against attorneys and judges.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The impact of keeping positions open for extended periods of time could be mitigated by reassigning the workload of these positions to remaining staff or staff within other programs. However, this would create a significant burden on employees over time.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Apply 2% vacancy savings to all positions in the District Court Operations Program, except for the judges whose salaries may not be reduced during their term of office. (Montana Constitution, Article VII, section 7)

#2 THE SAVINGS THAT ARE EXPECTED:

\$318,676 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

It is unlikely that the program would be able to achieve the proposed vacancy savings through attrition alone because the Branch's turnover rate has decreased as the economic climate has worsened. Therefore, vacant positions would need to remain open for extended periods of time to generate the necessary vacancy savings. Because a judge typically has only three direct support staff (i.e., a judicial assistant, a court reporter, and a law clerk), keeping these positions open for lengthy periods of time would significantly impede the day-to-day operations of the court. Youth Court staffing also is lean, and because of the direct service nature of the juvenile probation personnel, it would be difficult to maintain vacancies for a significant amount of time.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The impact of keeping positions open for extended periods of time could be mitigated by reassigning the workload of these positions to remaining staff. However, this would create a significant burden on employees over time.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes. Title 41, chapter 5, MCA

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce funding for Court Assessment Program by 35%. The Court Assessment Program is a federally funded program requiring a state general fund match that assesses and assists district courts in moving child abuse and neglect cases through the court system and achieving permanency for these children as quickly as possible.

#2 THE SAVINGS THAT ARE EXPECTED:

\$14,254 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Reducing the general fund match by 35% for the Court Assessment Program reduces federal funding for the program by the same percentage, a loss of \$42,761 in federal funds. The funding reductions would result in fewer subgrants to persons involved in resolving in child abuse and neglect cases, including judges, Court-Appointed Special Advocates (CASA), prosecutors, public defenders, and child protection workers. These subgrants typically provide much needed training to stakeholders in an effort to improve outcomes for abused and neglected children.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The impact cannot be mitigated because the Judicial Branch does not have an alternative funding source for subgrants to stakeholders in abuse and neglect cases.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Programs in Flathead and Yellowstone counties have in-house and contract staff providing evaluations and recommendations to the court in contested parenting or custody matters. Program staff conduct parenting investigations in contested cases and make recommendations to the court in the most difficult or contested parenting cases. With the investigations, Judges are able to make decisions more efficiently in these cases. Without parenting investigations, contested custody cases take an extraordinary amount of court time. The programs are long-standing and were created prior to the state assumption of District Court costs in 2002. The services will be reduced by 35%.

#2 THE SAVINGS THAT ARE EXPECTED:

\$124,154 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The reduction will have a direct impact on the ability of judges to move contested custody cases through the court system. Fewer cases will be referred to a smaller staff, which reduce the number of families and children served by this program. Instead of referring to a complete investigation and report, the judge will have to evaluate individual claims in these often very emotional cases. This will slow the court process, which pushes other cases aside and will overburden already very crowded dockets.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Litigants with resources may be ordered to seek private parenting evaluations although these are generally very expensive and not financially feasible for most parents. Judges will continue to assign the most difficult cases to the in-house staff but it is impossible to mitigate the overall impact to the courts. Delays will result for families and children as each case requires more court time for the judge to make an informed decision.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce funding for drug courts by 35%. The current general fund appropriation supports statewide administrative and technical services, local drug court coordination services, and client treatment and support services for the following drug courts: Billings Adult Misdemeanor Drug Court; Butte-Silver Bow Family Drug Court; 4th Judicial District Youth Drug Court; 4th Judicial District Family Drug Court; 4th Judicial District Drug Court Co-Occurring Docket; 7th Judicial District Youth Treatment Court; 8th Judicial District Adult Drug Treatment Court; 8th Judicial District Juvenile Drug Treatment Court; 16th Judicial District Treatment Court; Gallatin County Treatment Court; Mineral County Adult Drug Treatment Court; Yellowstone County Family Drug Treatment Court.

#2 THE SAVINGS THAT ARE EXPECTED:

\$247,949 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Montana drug courts provide court and treatment services to non-violent offenders with an alcohol and/or drug abuse dependency to give them the tools and incentives necessary to conquer their substance abuse problems. Drug court programs have resulted in lower recidivism rates for offenders, allowed offenders to stay in their communities to support their families and pay taxes, reduced the number of babies born drug addicted, and reduced the need for foster care. A 35% funding cut would significantly reduce the number of offenders who could be served by these courts, thereby diminishing the societal benefits derived from the programs. Furthermore, statewide support for the drug courts would be reduced, including technical assistance; data collection, analysis and reporting to the Legislature; and training development and delivery for drug court personnel.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Federal or local government funding may be available to mitigate some of the impact of reduced state funding.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Boards and Commissions

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce one of the three positions assigned to the program to a 0.6 FTE. Employees assigned to the program process complaints and manage Commissions charged with investigating complaints against attorneys and judges. Commission staff also manage mandatory training for judges in the courts of limited jurisdiction and judges in the District Courts. In addition, the program provides staff support to the Sentence Review Board.

#2 THE SAVINGS THAT ARE EXPECTED:

\$12,069 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The program is very small so any reduction will have a negative effect on completing work in a timely manner. Complaints against attorneys and judges could be delayed if employees are not in the office to process the complaints. It is possible that overtime will be accrued when the workload is heavy.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Other programs within the Supreme Court may have to provide assistance when the workload is heavy.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

The following functions supported by the program are required by the Montana Constitution or state statute: Judicial Standards Commission; Sentence Review Board; and twice yearly training and certification of judges in the courts of limited jurisdiction. The following functions supported by the program are required by Supreme Court rules: Commission on Practice; training for District Court judges.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Eliminate an information technology business analyst and trainer position (1.0 FTE) and one-half of a financial analyst position (0.5 FTE).

#2 THE SAVINGS THAT ARE EXPECTED:

\$91,478 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

These positions provide centralized information technology and finance support services to the Judicial Branch. Elimination of the IT business analyst and trainer position would result in slower response times in meeting the needs of IT users in the courts of limited jurisdiction and district courts; it also will slow down the deployment schedule for new releases of the FullCourt case management system. Elimination of the financial analyst would result in slower processing of financial transactions and recordkeeping.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The impact could be mitigated by reassigning work to remaining staff. However, this creates a significant burden on employees over time.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

4.00
FTE

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Eliminate four positions (4.0 FTE) in the juvenile probation offices that provide services to juveniles referred to Youth Court.

#2 THE SAVINGS THAT ARE EXPECTED:

\$172,100 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Because personal services costs comprise over three-fourths of the Judicial Branch's budget, it would be necessary to eliminate four positions in the Youth Courts in order to achieve the total 5% reduction amount. These positions would be eliminated in various judicial districts throughout the state and would impact the delivery of services to juveniles referred to Youth Court.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The workload of the positions could be reassigned to other staff, which may reduce the efficiency of the probation offices and have an impact on services provided to youth. If JDIP funding remains intact, the judicial districts could potentially contract for some services that were delivered by the positions. If the JDIP budget is decreased, programs and services in those districts would need to be reduced.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes. Title 41, chapter 5, MCA

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

6.00
FTE

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Eliminate six positions (6.0 FTE) that provide support services to the District Courts.

#2 THE SAVINGS THAT ARE EXPECTED:

\$265,028 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Because personal services costs comprise over three-fourths of the Judicial Branch's budget, it would be necessary to eliminate six positions in the District Court Program in order to achieve the total 5% reduction amount. These positions would be eliminated in various judicial districts throughout the state and would reduce administrative, clerical, and courtroom support for the District Courts. The elimination of these positions would place an additional burden on the courts in processing cases. Applying CY 2009 case filings to the Judicial Workload Assessment model indicates that for many judicial districts, the caseload has reached a point at which timely processing of cases, even those with statutory priority for adjudication, is nearly impossible. As a result, cases with no priority – business disputes, domestic relation cases, debt collection cases, etc. – are being scheduled further and further out on judges' calendars stranding many Montanans in legal limbo.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The impact of eliminating these could be mitigated by reassigning the workload of these positions to remaining staff. However, this would create a significant burden on employees over time.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form
17-7-111-3(f)

AGENCY CODE & NAME: 41100 Department of Justice (DOJ)

		Minimum Requirement	
		General Fund	State Special Revenue Fund
TARGETED REDUCTION TO EQUAL 5% OF CURRENT BASE BUDGET		\$ 1,247,381	\$ 640,775
		General Fund Annual Savings	State Special Revenue Annual Savings
Priority	SERVICE(S) TO BE ELIMINATED OR REDUCED		
✓1	4% PS GF reduction - LSD	\$ 148,762	
✓2	4% PS GF reduction - MVD	\$ 156,764	
✓3	4% PS GF reduction - HWP	\$ 12,425	
✓3	4% PS GF reduction - DCI	\$ 161,956	
✓4	4% PS GF reduction - CSD	\$ 19,173	
✓5	4% PS GF reduction - JITSD	\$ 103,738	
✓6	4% PS GF reduction - FSD	\$ 109,526	
✓7	JITSD - Extend computer replacement cycle	\$ 62,724	
✓8	FSD - Do not renew equipment capital lease/deb service exp	\$ 86,190	
✓9	LSD - Reduce major litigation	\$ 150,000	
10	OCP - Reduce benefit claim payments		\$ 77,050
✓11	GCD - Delay gambling investigations & inspections		\$ 139,782
✓12	MVD - Delay VIVS rolling reissue		\$ 64,671
✓13	MVD - Reduce driver licensing office & service	\$ 31,888	\$ 40,760
✓14	DCI - CRISS program reduction		\$ 37,000
✓15	DCI - MLEA program reduction		\$ 70,000
✓16	DCI - MCSART program reduction	\$ 96,056	
✓17	MHP - Reduce level of executive protection services	\$ 108,179	
✓18	MHP - Reduce level of uniformed coverage on road		\$ 211,512
TOTAL SAVINGS		\$ 1,247,381	\$ 640,775
DIFFERENCE		0	0

Form A

Target amounts per OBPP e-mail 9/7/10 1:03 pm

5% Base Budget Reduction Form

AGENCY CODE & NAME: 41100 Department of Justice (DOJ)
Legal Services Division

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce existing staff by 1.50 FTE and reduce major litigation authority.

#2 THE SAVINGS THAT ARE EXPECTED:

This 5% reduction would consist of savings of \$148,762 to the general fund in personal services and operating expenses each year of the 2013 biennium.

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The reduction in staff would delay resolution of cases, increase case backlog, and reduce the department's ability to accept prosecutions due to lack of attorneys to handle the workload. Reducing the major litigation appropriation will not impact the division as the Attorney General is required per statute to represent the State of Montana. If major litigation expenses exceeded available appropriation the department would have to seek a supplemental appropriation.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

NA

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes, 2-15-501, MCA

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: 41100 Department of Justice (DOJ)
Office of Consumer Protection

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce benefit/claims authority in state special revenue fund.

#2 THE SAVINGS THAT ARE EXPECTED:

This 5% reduction would consist of savings of \$77,050 to the state special revenue fund in claims to beneficiaries each year of the 2013 biennium.

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

All settlements would be processed through the Governor's Office prior to distribution to beneficiaries.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

NA

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes, 30-14-143, MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: 41100 Department of Justice (DOJ)
Gambling Control Division

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Delay gambling and liquor license background investigations and inspections required of all applicants and criminal investigations.

#2 THE SAVINGS THAT ARE EXPECTED:

This 5% reduction would consist of savings of \$139,782 to the state special revenue fund in operating costs by reducing travel and delaying vehicle purchases each year of the 2013 biennium.

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Slow down the gambling and liquor licensing process and make it more difficult to get to criminal investigations.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

NA.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes, 23-5-115 and 16-4-402 MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: 41100 Department of Justice (DOJ)
Motor Vehicle Division

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce existing staff by 5.0 FTE; delay the implementation of the vehicle insurance verification system (VIVS); and reduce driver licensing services in Livingston.

#2 THE SAVINGS THAT ARE EXPECTED:

This 5% reduction would consist of a savings of \$188,652 to the general fund and \$105,431 to state special funds in personal services and operating costs each year of the 2013 biennium.

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Reduced staff and driver licensing services decreases productivity in accounting for driver licensing and vehicle registration revenues, limits vehicle titling and registration assistance to counties, reduces services, and reduces response time. Delaying the implementation of VIVS affects law enforcement and may increase total implementation expenses in the long run. Decreased funding may impact the operational budget for Montana Correctional Enterprises for the production of license plates and limit readily available license plate stock in counties for customers.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:
NA.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes, Title 61, MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: 41100 Department of Justice (DOJ)

Montana Highway Patrol

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce appropriation for Executive Protection which provides transportation and security to the Governor of Montana; reduce level of uniformed trooper coverage on the highways.

#2 THE SAVINGS THAT ARE EXPECTED:

This 5% reduction will consist of a savings of \$120,604 general fund and \$211,512 state special revenue fund in personal services and operating costs each year of the 2013 biennium.

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

This 5% reduction will reduce the necessary personal services and operating costs needed to transport and protect the Governor, and the citizens of Montana effectively.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The impact of decreasing these programs can not be mitigated, in fact an increase is needed to keep the programs running effectively.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes, 44-1-104, MCA and 44-1-303, MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: 41100 Department of Justice (DOJ)

Division of Criminal Investigations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce existing staff by 2.25 FTE; reducing the Montana Child Sexual Abuse Response Team (MCSART) program by 50%; reducing the services provided by the Montana Law Enforcement Academy (MLEA); and reducing the Criminal Records Information Services Section (CRISS) program.

#2 THE SAVINGS THAT ARE EXPECTED:

This 5% reduction would consist of a savings of \$258,012 to the general fund and \$107,000 to state special funds in personal services and operating costs each year of the 2013 biennium.

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Reduced staff and reductions in the MCSART, MLEA, and CRISS programs will reduce state financial and technical assistance to the general public, the counties and to city governments.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

NA.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No, duties defined per Title 44, MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: 41100 Department of Justice (DOJ)
Central Services Division

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce existing staff by .25 FTE.

#2 THE SAVINGS THAT ARE EXPECTED:

This reduction would create a general fund savings in the amount of \$19,173 in each year of the 2013 biennium.

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Turnaround time for general ledger accounting, budgeting, and reconciliations would be reduced.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

NA.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No, per generally accepted accounting standards and state policy.

Form B

Base Budget Reduction Form

AGENCY CODE & NAME: 41100 Department of Justice (DOJ)
Justice Information Technology Services Division

#1

BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce existing staff by 1.50 FTE and extend the computer replacement cycle—delaying purchases in the 2013 biennium.

#2 **THE SAVINGS THAT ARE EXPECTED:**

This 5% reduction would consist of a savings of \$166,462 to the general fund in personal services and operating costs each year of the 2013 biennium.

#3

THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Law enforcement personnel would be required to use antiquated equipment putting public safety at risk. Additionally, not having the ability to support critical DOJ programs could jeopardize public safety and put the State of Montana out of compliance with federal and state mandates.

#4 **HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:**

NA.

WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No. Per state and federal policy.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: 41100 Department of Justice (DOJ)

Forensic Science Division

#1

BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce existing staff by 1.50 FTE and delay scheduled capital lease for laboratory equipment.

#2

THE SAVINGS THAT ARE EXPECTED:

This 5% reduction would consist of a savings of \$195,716 to the general fund in personal services and debt service accounts each year of the 2013 biennium.

#3

THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Reduced staff and equipment impacts the turnaround time which impacts criminal justice adversely and has the potential to jeopardize a defendant's right to a speedy trial.

#4

HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

NA.

#5

WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes, 44-3-101 & 301, MCA.

Form B

4201 Public Service Commission
5% budget reduction
2011 Legislative Session

Five Percent amount **\$170,613.00**

Savings

Operating Budget Reductions \$117,405.00

Personal Service Reduction \$53,208.00

Total Savings **\$170,613.00**

5% Base Budget Reduction Form
17-7-111-3(f)

AGENCY CODE & NAME: 61080/Office of the State Public Defender

	Minimum Requirement	
	General Fund	State Special Revenue Fund
TARGETED REDUCTION TO EQUAL 5% OF CURRENT BASE BUDGET	\$ 990,623	\$ 2,171

Priority	SERVICE(S) TO BE ELIMINATED OR REDUCED	General Fund	State Special Revenue
		Annual Savings	Annual Savings
1	Computer Hardware	\$ -	\$ 2,171
2	4% Personal Services Reduction	\$ 501,301	
3	Contract Attorney Services	\$ 489,322	
	TOTAL SAVINGS	\$ 990,623	\$ 2,171
	DIFFERENCE	0	0

Form A

5% Base Budget Reduction Form

AGENCY CODE & NAME: 61080/Office of the State Public Defender

#1

BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION: Eliminate computer hardware purchases.

#2 THE SAVINGS THAT ARE EXPECTED: \$2,171

#3

THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION: The agency would use outdated computer hardware: personal computers, communication systems, computer servers, copy machines past their expected useful life. If an item fails to operate the agency would not be able to replace it.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

#5

WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO: Yes in order to provide services to clients as per Title 47.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: 61080/Office of the State Public Defender

#1

BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION: Any service currently defined under title 47.

#2 THE SAVINGS THAT ARE EXPECTED: \$489,322

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION: To meet the requirements of the 5% reduction by program, the Agency would reduce the number of cases and related expenditures provided and paid to contract attorneys. The Agency would, to the best of its ability, allocate these cases to internal attorneys. Once the capacity of the internal attorneys has reached its limit, the Agency would delay future intake of new cases. This would result in longer stays in jail or juvenile detention. It also may impact the right to a speedy trial. There would be greater county costs for people being held at Warm Springs or in hospitals in mental health commitments. It would increase the risk of violating conflict of interest rules by contracting out fewer cases.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED: The Legislature could consider removing the jail time as a penalty from certain crimes, otherwise there is little the Agency could do to mitigate the impacts from the loss of this funding.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO: Yes - Title 47.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: 61080/Office of the State Public Defender

- #1 **BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:** The Agency would reduce 4% of the previously approved FTE. This would be approximately 8.5 FTE.
- #2 **THE SAVINGS THAT ARE EXPECTED:** \$501,301
- #3 **THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:** To meet the requirements of this reduction by program, the Agency's internal attorneys' caseloads would increase. Once the capacity of the internal attorneys has reached its limit, the Agency would delay future intake of new cases. This would result in longer stays in jail or juvenile detention. It also may impact the right to a speedy trial. There would be greater county costs for people being held at Warm Springs or in hospitals in mental health commitments. It would also increase costs because it would be necessary to assign more cases to contract attorneys.
- #4 **HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:** The Legislature could consider removing the jail time as a penalty from certain crimes, otherwise there is little the agency could do to mitigate impacts from the loss of this funding and FTE.
- #5 **WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:** Yes - Title 47.

Form B

5% Base Budget Reduction Form**17-7-111-3(f)**

DRAFT

AGENCY CODE & NAME:

6401 Corrections

Minimum Requirement

	General Fund	State Special Revenue Fund
TARGETED REDUCTION TO EQUAL 5% OF CURRENT BASE BUDGET	\$ 8,245,711	\$ 178,077

Priority

SERVICE(S) TO BE ELIMINATED OR REDUCED

	General Fund Annual Savings	State Special Revenue Annual Savings
1 Implement 4% FTE Reductions (approx 20.50 FTE)	\$ 1,203,829	
2 HPIS Administrator (1.00 FTE Reduction)	\$ 104,904	
3 Fixed cost reductions	\$ 97,000	
4 AFSD Reductions	\$ 45,000	
5 Directors Office Reductions	\$ 14,000	
6 Outside Medical Reductions	\$ 125,000	
7 Health Services Reductions	\$ 4,000	
8 IT Reductions	\$ 76,000	
9 Staff Services Division Reductions	\$ 30,000	
10 Adult Community Corrections Division Reductions	\$ 2,670,725	
11 Montana State Prison Reductions (net loss of 14.00 FTE)	\$ 1,686,194	
12 Contract Beds Reductions	\$ 1,166,913	
13 Montana Women's Prison Reductions (5.00 FTE Reduction)	\$ 267,129	
14 Montana Correctional Enterprises Reductions	\$ 21,459	
15 Youth Services Division Reductions (3.00 FTE Reduction)	\$ 733,558	
16 Training Manuals SS Reduction		\$ 163.00
17 Collections Unit SS Reduction		\$ 17,128.00
18 Supervision Fees SS Reduction		\$ 22,934.00
19 Inmate Pay SS Reduction		\$ 6,347.00
20 MSP Staff Transportation SS Reduction		\$ 145.00
21 Canteen SS Reduction		\$ 89,100.00
22 SS Reduction		\$ 1,276.00
23 PHYCF Canteen Reduction		\$ 173.00
24 Interest and Income SS Reduction		\$ 20,506.00
25 Parental Contributions SS Reduction		\$ 20,305.00
TOTAL SAVINGS	\$ 8,245,711	\$ 178,077

DIFFERENCE

0

0

Form A

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 01

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

The department would reduce 4% of the previously approved FTE. This would equate to approximately 20.50 FTE.

#2 THE SAVINGS THAT ARE EXPECTED:

The expected savings from these positions are \$1,203,829.

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

- 1) Probation and parole caseloads will increase, resulting in reduced supervision of offenders that could lead to increased recidivism and diminished public safety.
- 2) Programming for offenders (education, chemical dependency and mental health) will be eliminated and reduced resulting in increased length of stays in secure facilities. This can increase the cost of secure care incarceration and ultimately change the 80/20 ratio (80% in community corrections and 20% in secure care) the department currently uses as a measurement for system balance.
- 3) Scheduled facility maintenance will be eliminated due to lack of available staff. Facility buildings may experience security and safety issues due to the lack of maintenance.
- 4) Customer service to the public and department employees may be delayed or eliminated depending on the position. Response time to inmate grievances may also be affected which may cause inmate unrest at secure facilities, creating a safety concern for offenders and staff.
- 5) Legal services for the entire department would be reduced. County entity legal staff would be required to handle more cases and the legal response time for all departmental business would also be slow and might increase the possibility for increased litigation expenses.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

There is little the department could do to mitigate impacts from this lost funding and FTE.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

YES The State is required to provide opportunities for self-improvement and rehabilitation for offenders.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 02

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Eliminate previously vacated Health, Planning and Information Services Division administrator position

#2 THE SAVINGS THAT ARE EXPECTED:

\$104,904 in salaries and benefits

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Existing staff would be required to complete the duties causing increase work load and less customer service.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Current staff will complete the necessary duties.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 03

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduce fixed costs for the department

#2 THE SAVINGS THAT ARE EXPECTED:

\$97,000 in operating

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The department will eliminate half of the messenger services provided by DOA by receiving mail only once per day instead of twice per day. This would generate an estimated savings of \$3,000. In addition the department will reduce their insurance costs through Tort by \$86,878 by receiving the 10% rebate with the defensive driving course, reevaluating the insurance levels and building insurance levels. There could be additional risks with costs increasing with less insurance coverage. With the central office staff moving locations, there will be expected savings of \$7,518 from less grounds maintenance by DOA. This will also effect the Department of Administration funding levels.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Department staff complete mail services and grounds maintenance if needed.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

44

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 04

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Shifting Personal services from general fund to state special. Reduction of printing costs to P & G Printing.
Reducing travel and training.

#2 THE SAVINGS THAT ARE EXPECTED:

Shifting personal services costs from general fund to state special \$38,000
Reduction of printing costs to P & G Printing \$2,500
Travel and training reduction of \$4,500

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Shifting funding could result in less cash to for the operating budget of the Collections unit

Reducing printing costs could result in spending more staff time copying and sending reports to managers
Reducing travel and training could result in the division having less trained staff to complete tasks and less travel to assist facilities with budgeting and division functions

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Ensure costs are maintained at a minimal level

Train staff to read reports electronically, however, that could require more travel to train staff one on one.
More conference calls, which often are not as effective as face-to-face meetings.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 05

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduction of contracted services for \$10,800 (temp services and chain services)
Reduction of non employee travel of \$2,000 (portion of base for eliminated victims advisory council)
Reduction of subscriptions of \$1,200

#2 THE SAVINGS THAT ARE EXPECTED:

\$14,000 in operating costs

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Reducing contracted services for temporary employees will eliminate the possibility for the department to contract with staff to assist with legal judgments and administrative assistance. This could create a backlog in the departments administrative duties. The chain services contract for the department has been cancelled.

Advisory councils have been eliminated.

The department eliminated newspaper and would eliminate legal publication subscriptions, Montana Administrative rules subscription. The result would an inability to participate in ASCA's national information-gathering efforts and interaction with other corrections directors across the country, and to monitor news coverage of issues affecting corrections – including crime coverage – and track developments in the legal community and courts that affect corrections.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Staff completing duties at times completed with contracted staff, requiring more staff time and using web options for publications more frequently.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 06

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reducing outside medical budget by 2.2%.

#2 THE SAVINGS THAT ARE EXPECTED:

\$125,000 in operating

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The Department of Corrections is required by law to provide adequate medical care for inmates. In order for the department to meet this reduction requirement the following contracts would be reduced or eliminated.

Reducing the medical director contract by 50% could lead to inadequate medical care to offenders.

Because of legal requirements reducing this service could result in increased legal liability and lawsuits.

The legal costs could potentially far exceed the expected savings.

The behavioral health facilitator identifies vulnerable populations within the correctional system and seeks solutions to address their unique needs. Eliminating this position would reduce the department's ability to address mental and behavioral health needs of vulnerable offenders. Services might not be as quickly identified, and offenders might not get treatment they need. If that occurs, offenders may recidivate at higher rates or have significantly longer stays in higher custody levels which would likely result in higher costs to the department and the State of Montana.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Impacts to constituents could be mitigated by assigning medical director duties to other medical doctors. While this might work for a while, overall medical direction would eventually suffer and may result in department losing more physicians.

Could be mitigated by more frequent meetings with DPHHS staff to help identify projects, benefits, and services that may be available to offenders

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes - The department is bound by the 8th Amendment of the U.S. Constitution to not be deliberately indifferent to inmates' serious medical needs.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 07

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:
Health Services operating budget reduction
- #2 THE SAVINGS THAT ARE EXPECTED:
\$4,000 in operating
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:
Reduction of \$4,000 to training and travel budget. Less training and travel could result in increased medical costs due to less assistance to facilities and less training for staff.
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:
Increased conference calls.
- #5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:
No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 08

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Information Technology Division reduction
Filenet replacement in OMIS \$23,000
ITX Mugshot system maintenance \$9,700
Citrix reduced by \$1,600
Elimination of MRM \$2,400
Elimination of SunGard \$7,800
PC replacement from 20% to 25%

#2 THE SAVINGS THAT ARE EXPECTED:

\$76,000 operating

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The impact of the filenet reduction is the loss of a place to store our electronic records.

The impact of the ITX mugshot system maintenance would be that we'd have no further enhancements or application upgrades to this system. What this means to staff/constituents is that if a sufficient amount of time passes where the mugshot system will no longer run on the current OS, or the database that contains the data were to somehow become corrupted, we would no longer be able to produce staff or offender ID cards. This is an obvious safety and security issue for staff and offenders.

The impact of reducing the Citrix service could reduce availability of OMIS/YMS services and file server access from outside of the state network. This means that any contractors that access OMIS/YMS currently would not have access. Additionally, department staff that have telework agreements or otherwise need to access our systems (with the exception of email via webmail) may experience periods where they may not be able to connect due to reducing the availability of pool licenses by 50%. One last major impact would be possible interrupted connectivity to restitution report systems.

Impacts of elimination of MRM would be loss of off-site storage for our backups tapes.

Impacts of eliminating SunGard would be loss of contracted off-site recovery.

PC replacement from 20% to 25% some small areas may be impacted due to loss of performance on workstations because of age.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The filenet mitigation strategy includes developing the necessary technologies in house on existing or significantly reduced asset hardware.

Mitigation strategy for the ITX mugshot system maintenance would include developing in house and integrating into OMIS/YMS systems. This service is not required by State or Federal Statute.

Mitigation strategy for reducing Citrix service could include using E-Pass services for contractors. Restitution impacts will be mitigated tentatively in November due to bringing new restitution system online.

Mitigation strategy for eliminating the MRM would be to utilize Enterprise data center in conjunction with the new Central office data center to provide disk to disk across network backups.

The elimination of SunGard was originally a major concern with the AS/400 and our lack of resource to stand a replica system back up. This is no longer a major concern when the new restitution system comes online and can utilize a combination of data centers to provide restoration services easily. The PC replacement from 20% to 25% has less of an impact because we progress more and more toward web based services, our workstations become more powerful than they need to be. The Enterprise recently decided to transition to a 5 year replacement, from a 4 year replacement cycle. In summary, this will have very little impact on end users.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

These services are not required by State or Federal Statute.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 09

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Staff Services Division reduction
2 Leased vehicle returns \$11,500
Contracted services reductions \$18,500

#2 THE SAVINGS THAT ARE EXPECTED:
\$30,000.00

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The leased vehicle returns would impact the training staff and the investigators. The training staff will either use personal vehicles or attempt to check out an MSP vehicle. The response by the investigation staff could be extend by the need to checkout a motor pool vehicle or attempt to locate another department staff vehicle.

The contracted services reduction for outside legal counsel would impact the Legal Bureau by reducing the amount of general counsel work and increasing litigation case loads to an already reduced work force.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The Training & Investigative staff will use their personnel vehicles or check out vehicles from the state motor pool or from MSP vehicle pool.
The Legal Bureau staff will reduce the general counsel legal advice and focus on the remaining legal litigation case loads.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No these reductions are not required by State or Federal statutes.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 10

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Adult Community Corrections Division reductions

#2 THE SAVINGS THAT ARE EXPECTED:

Total savings of \$2,670,725

Cancel U of M contract for Meth Outcomes \$4,800

Reduce ESP Expansion+ 15 slots \$213,525

Hold PRCs to contracted ESP slots \$88,914

Reduce 16+29 P&P Vehicles \$204,750

Use supervision fees to offset GF \$623,176

Discontinue P&P commuting \$35,000

Maintenance FTE Reduction Watch West \$262,918

Reduce Watch/CCP expansion beds \$766,486

Reduce ACCD beds \$293,952

MASC Rate negotiations \$60.21 - \$177,204

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Cancelling meth outcome measures contract with U of M will impact the department by creating the need for ACCD staff to interpret outcome data. The outcome measures are a requirement in the meth treatment contracts and the cost to collect data will be absorbed by the centers.

The department will reduce 39 ESP slots that were expanded in FY 2010 in the prerelease centers.

The department will not allow prereleases to exceed the contracted maximum for ESP slots. P&P may need additional slots to keep offenders in the community rather than sending them to secure care.

The department will eliminate 45 leased motor pool vehicles from P&P. This could delay PO's in responding to incidents. The result could be a shift of responsibility to local law enforcement.

Supervision fees cash above spending authority will be used to offset GF expenditures. Cash stores in supervision fees state special could become depleted causing a decrease in the required training for P&P officers.

Commuting for P&P staff will be discontinued with leased vehicles. Response by P&P officers could be delayed by having to go to the office for a vehicle to respond to an incident.

Eliminate MOU with DPHHS for boiler maintenance workers at Dr. X building. The boiler is currently being replaced with a new system, which will require less time for staff. However, facility maintenance will be backed up and any issues that arise will have to be contracted out to vendors for repair or taken on by the current contractor.

Reduce 24 WATCH/Connections beds that were expanded in FY 2010. Treatment beds needs fluctuate as far as need. If there are an insufficient number of beds available to meet the need, offenders will have longer stays in secure care waiting for beds.

Reduce ACCD contracted beds. Disruption to placement of offenders in appropriate alternatives instead of secure care beds could cause waiting lists to grow to get into the facilities and backing up the system.

Negotiate a per diem rate of \$60.21 for the MASC contract. Decreasing the rate for MASC will create strains on the county and would result in less programming and staff in the facility. Less programming can lead to increased recidivism and less staff can pose a safety issue for the facility.

Any adjustments to the available bed space and populations would disrupt the departments 80% community placements and would increase the need for secure care beds because the system will be backed up with waiting lists.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

With the reduction of ESP beds, P&P officers will provide the services to the offenders. P&P will pool leased vehicles and create a check out process for vehicles. There is no way to mitigate the decrease in beds without increasing secure care. Maintenance at the Watch facility will be completed as needed.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

YES The State is required to provide opportunities for self-improvement and rehabilitation for offenders.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 11

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Montana State Prison Reductions

#2 THE SAVINGS THAT ARE EXPECTED:

Total Savings of \$1,686,194

Convert Dental Contract into FTE \$65,186

Terminate Staff Transportation Program \$140,000

Terminate Pacific Institute Contract \$100,000

Utility Savings Program \$100,000

Supplies \$300,000

Eliminate Education Program - 9 FTE \$512,313

Eliminate Chemical Dependency Treatment - 6 FTE \$368,695

Reduce Contracted Services \$100,000

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

1. MSP will be converting a dental contract into an FTE and there are no negative consequences to this reduction. 2. MSP will terminate its staff transportation program. This could potentially add to the problems of recruitment and retention as a lot of the correctional staff utilize this service, which is a factor in decisions to work at the prison. 3. The Pacific Institute Contract will be cancelled. This contract allows for additional training to staff and inmates that teach cognitive thinking. This could lead to additional staff misconduct issues as well as an increase in inmate incidents. 4. The prison is going to remove personal laundry machines from inmate living areas and do all laundry at the MCE facility. This will remove inmate work assignments from the institution and put an additional burden on MCE to purchase additional equipment necessary to perform transition. 5. The supplies budget will be reduced substantially in the infirmary, maintenance and housing units. The infirmary could potentially be short-funded by this proposal and it could put them in a position to not receive the NCCHC accreditation that they have been working to achieve. The cut to the maintenance budget will make it difficult to respond to emergency maintenance situations as they will no longer be able to carry the proper inventory to address such emergencies. As many of the maintenance issues at a prison involve security features, the safety of staff and inmates can be jeopardized. There is also the potential for delays in the preventive maintenance schedule at the facility. The cut to the housing units will eliminate the ability of the facility to replace inmate mattresses on the regular circulation schedule and other necessary items. 6. MSP will eliminate the education program in its entirety. This will lead to the loss of 9 FTE. By eliminating this program there is the potential to violate federal education mandates that require education offerings to inmates under the age of 21. If this is violated federal funding will be lost. This also takes away an inmates opportunity to receive a GED while incarcerated, which leads to higher recidivism and failure rates after release. The department would also lose approximately \$75,000 in federal funding for the education program as well.

7. MSP will eliminate the Chemical Dependency Treatment program in its entirety. This will lead to the loss of 6 FTE. Often, chemical dependency treatment is court-ordered, and offenders will spend more time in prison if they are unable to receive the treatment. It will also put an undue burden on the waiting lists for community corrections and on the actual programs as the treatment will still be required but not offered at the facility. Also by eliminating these two programs you will be eliminating inmate paid position in the education department and the inmates' ability to have structured programming inside the institution. This may lead to further incidents involving frustrated inmates and compromise the safety and security of the facility and its staff. 8. The final cut for MSP will be to eliminate the contract amount of \$100,000 to MCE motor vehicle maintenance program. This will effect both MSP and MCE by taking away the ability for MCE to successfully operate the program. MCE has a number of work assignments for the MSP inmates and these may be eliminated. Any savings may be offset by higher costs due to MSP having an outside agency provide these maintenance services to the fleet vehicles.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

There are no mitigation strategies for the loss of the staff transportation program, the conversion of the staff laundry and the loss of the FTE. The loss of the Pacific Institute contract could be impacted by offering more in house training by the staff already on site. It may not be to the same level but would be beneficial. There is no way to mitigate the impact of the loss to the supplies. The facility already searches for and receives the lowest prices possibly for all purchases so there is no way to mitigate these losses any further. To mitigate the loss of the education program the only possibility is to put a larger burden on the unit management staff to offer more cell study programs and find a means to perform all of the necessary education testing. There is no potential to mitigate the loss of the chemical dependency treatment program at this time. The only possible mitigation strategy for eliminating the contract with the MCE MVM would be to negotiate all contracted prices for MCE to see if there is a way to absorb the loss in other areas.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

YES The State is required to provide opportunities for self-improvement and rehabilitation for offenders.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 12

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Contract Bed Reductions

Reduce 50 beds at Crossroads Correctional Center in Shelby, MT

#2 THE SAVINGS THAT ARE EXPECTED:

\$1,166,913

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

This reduction will impact the contract bed placements at the Crossroads Correctional Facility in Shelby. A total of 50 beds would be eliminated from the CCA contract. In order to realize budget savings, the department would divert appropriate DOC commit inmates from a secure care bed to a supervision placement in Probation and Parole.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Inmates eligible for this type of supervision would be added to the current Probation and Parole caseloads and would only occur if the offender did not pose an unreasonable risk to the public safety.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

YES The State is required to provide opportunities for self-improvement and rehabilitation for offenders.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 13

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Montana Women's Prison FTE reductions - closure of Phase I unit

#2 THE SAVINGS THAT ARE EXPECTED:

\$267,129 in personal services

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The Montana Women's Prison will be eliminating the Phase 1 Unit and reducing its capacity by 20 beds. This unit was established to focus on introducing female offenders to the therapeutic community model as well as addressing all of their treatment and court-ordered needs. By eliminating this unit the 5 FTE that are dedicated to it will be eliminated. The inmates are likely to see an increased length in stay as well as a slower process to enter and complete treatment. The facility is likely to see an increased number of incidents from the inmates as they will not be properly introduced to the facility and the therapeutic community model. By reducing the beds at the facility, offenders will see longer stays in the county jails waiting for room. The overtime for the facility will be cut as well which will leave less funding for the safety and security of the facility as posts will have to be left unfilled.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

By reducing the number of inmates and units at the facility there is the possibility of remodeling the overall facility schedule so that posts could be better utilized allowing the remaining staff to still be able to safely oversee the facility while receiving the proper amount of time off. There is no way to prevent the backup of offenders in county jails once they are sentenced by the courts and beds are unavailable at the prison. It is hard to mitigate the impact on the 5 FTE that would lose their positions. DOC commits could be diverted to probation and parole placement in place of prison or ACCD bed placement.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

YES The State is required to provide opportunities for self-improvement and rehabilitation for offenders.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 14

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Montana Correctional Enterprises reductions
\$21,459 operating reduction for inmate curriculums

#2 THE SAVINGS THAT ARE EXPECTED:
\$21,459

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

If the department does not upgrade curriculum on a yearly basis and cycle through the program, the program and the students get behind very quickly due to the changes in technology. As an example our business skills/computer technology class curriculum is taught to correspond with what the state is using, so the upgrades to both the curriculum and software are important to allow for staying current for better work skill development and job placement when an inmate is released.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:
There is no way to mitigate this impact.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:
No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 15

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Reduction of Social Worker 1 FTE at Pine Hills Youth Correctional Facility
Reduction of 2 Correctional Officers - one FTE at RYCF and 1 FTE at YTC
Contract reductions
Reduction of 3 leased vehicles
Reduction of Operating at ADMIN, PHYCF, YCC, RYCF and YTC
Placement budget reduction of \$48,492 at PHYCF
Juvenile Placement reduction of \$385,930 or 6.5%

#2 THE SAVINGS THAT ARE EXPECTED:

\$733,558 Total Savings:
\$141,728 in personal services for 3 FTE
\$60,700 Savings in Contracts
\$21,279 in leased vehicle reductions
\$75,429 Reduction in Operating
\$48,492 Placement reduction
\$385,930 JDIP Reduction

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

If the population at PHYCF increases without the ability to hire a Social Worker, the case loads would increase for case managers.

If the population at RYCF and YTC increases, not having the ability to hire a Correctional officer would result in increased overtime and lack of appropriate relief factors.

Contract reductions include reducing a mental health contract at the Youth Transition Center. Reducing this contract could increase costs of mental health counseling based on Medicaid eligibility.

The reduction of temporary employee services, would not allow administrative staff to hire additional resources as needed.

Three vehicles contracts would be cancelled with Department of Transportation. The reduction at the Youth Transition Center would create a scheduling problem because male and female youth would have to be transported in one vehicle. The other two vehicles would require administration and PHYCF to use the pool of current vehicles within DOC. If vehicles are not available, transports will have to wait for availability.

Operating reductions include cell phone and travel reductions. Reducing staff travel will decrease the amount of training allowed. The Administrator for Youth Services would not be able to renew the Council for Juvenile Correctional Administrator membership and this would prevent the Administrator from receiving up to date information relating to juvenile corrections best practices. A reduction in facility operating budgets would require maintenance of facilities to be decreased, as well as decreasing supplies for youth and staff. An increase in population would require the department to open units previously closed at PHYCF causing an increase in supplies, staff and utility costs. Also increased utility rates and increased fuel cost would impact this reduction.

Reducing the placement money for the facilities may require Youth Services to use Cost Contingency money through the placement funds.

The amount of money available for community Juvenile Delinquency Intervention Programs would be reduced. If youth have less community options there may be an increase in commitments to our secure care facilities.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The reduction in operating is based on current population and an increase in population would make mitigation difficult. The communities could provide monies to fund the prevention programs cut with this request.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No - In order to have a safe and secure environment, the department is required to have adequate staffing patterns.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 16

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Training Manuals State Special Reduction in spending authority

#2 THE SAVINGS THAT ARE EXPECTED:

163

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The department collects funds from outside agencies for training manuals printed for training. Without adequate authority, the department will not be able to purchase all the required materials and provide them to staffs in other law enforcement agencies.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Funding could be expended in general funds.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No, but training is required for staffs.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 17

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Collections Unit state special spending authority reduction

#2 THE SAVINGS THAT ARE EXPECTED:

\$17,128

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Reducing the Collections funding will result in delayed movement of the restitution program. With the backload of work, staff will not be able to process restitution payments as timely and as efficiently.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Without the necessary resources there is no way to mitigate the impact.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes - 46-18-241

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 18

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Supervision fees state special spending authority reduction

#2 THE SAVINGS THAT ARE EXPECTED:

\$22,934

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The Probation and Parole Bureau will have not have sufficient spending authority and this plan were implemented. This means all training and safety supplies will no longer be provided unless free to the department.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

All training and supplies will have to be provided free of cost.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

Yes - 46-23-1003 - Probation and Parole Officers are required to obtain 16 hours of training each year.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 19

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

MSP Inmate pay state special reduction

#2 THE SAVINGS THAT ARE EXPECTED:

\$6,347

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Inmate work and education assignments are a major part of facility security and rehabilitation. Inmate jobs and inmate pay within a correctional facility is a effective management tool and helps to support functions that are generally understaffed with authorized FTE staff. Facility safety, security and work production is greatly impacted by inmate work force. Without inmate paid positions facility security and work productivity will be decreased.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

There is no way to mitigate this impact.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 19

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

MSP staff transportation state special reduction

#2 THE SAVINGS THAT ARE EXPECTED:

\$145

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The department provides staff bus transportation for Montana State Prison. The staff pay \$3 per trip. This funding allows the department to offset the general fund cost with state special funds.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

All transportation costs would be paid through the general fund.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 21

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

MCE Canteen state special reduction

#2 THE SAVINGS THAT ARE EXPECTED:

\$89,100

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The Canteen program is a good inmate management tool. Inmates utilize money from their work programs or from family to purchase commissary items such as snack foods, hygiene items and clothing. The purchase of the hygiene items and clothing benefits the facility as that is less cost to the state. Without canteen authority, the state general fund costs will increase to provide hygiene items. A reduction of inmate purchases could also have an effect on inmate conduct.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

There is no way to mitigate this impact.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 22

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Alcohol tax state special funding reduction at PHYCF

#2 THE SAVINGS THAT ARE EXPECTED:

\$1,276

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

State special funding is used to offset general fund costs at PHYCF. Without the necessary authority for these funds, PHYCF general fund expenditures will increase or the budget will be reduced causing more strain on facility functions.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Expend amount from general fund.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 23

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

PHYCF Canteen state special reduction

#2 THE SAVINGS THAT ARE EXPECTED:

\$173

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

Youth at PHYCF would not be able to purchase as many items from the canteen program. Decreasing youth canteen could effect youth conduct in the facility.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Expend funds from general fund.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 24

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Interest and income state special reduction at PHYCF

#2 THE SAVINGS THAT ARE EXPECTED:

\$20,506

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

State special funding is used to offset general fund costs at PHYCF. Without the necessary authority for these funds, PHYCF general fund expenditures will increase or the budget will be reduced causing more strain on facility functions.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Fund operating expenses from general fund.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No - The department is required to provide housing for youth. In order to do so, beds must be available in the proper environment.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME: Department of Corrections - 6401 - 25

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Parental contributions state special reduction

#2 THE SAVINGS THAT ARE EXPECTED:

\$20,305

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The amount of money available for Juvenile Delinquency Intervention Programs and youth placements would be reduced. If youth have no community options there is an increased chance of returning to a secure facility.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

The communities could provide monies to fund the programs cut with this request.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No - The department provides funding for the Office of Supreme Court's probation placements. This authority is used to offset some of the costs of the probation and parole placements. This funding is used to provide a safe and secure community while working to rehabilitate youths.

Form B